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STATE FOR EAP/RSP/TC AND EB/TPP/IPE, STATE PASS USTR AND
AIT/W, USTR FOR WINELAND AND WINTERS

E.O. 12958: N/A

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SUBJECT: TAIWAN TO ABOLISH THE ANTI-PIRACY COMMITTEE

¶1. This is an action request. See para 6.

¶2. Jack Lu (Wen-hsiang), Deputy Director General of the Taiwan Intellectual Property Office (TIPO), requested a meeting with AIT October 24 to relay TIPO's intention to abolish the Anti-Counterfeiting Committee (ACC) and to request U.S. comments. The ACC historically was the primary body for coordinating Taiwan government anti-counterfeiting activities. The duties of the ACC have been substantively assumed by TIPO's International Affairs and General Planning division since 1999.

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Background on ACC
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¶3. The ACC was created in 1981 by the Ministry of Economic Affairs (MOEA) to coordinate inspection of counterfeit products with the prosecutor's office, national police and the Ministry of Justice Investigation Bureau (MJIB). When TIPO was officially established in 1999, the ACC moved from the Board of Foreign Trade to TIPO. Over the past several years, coordination of anti-counterfeiting activities has been devolved to new groups, including the Coordination Task Force for IP Enforcement in MOEA, the Coordination Plan for IP Infringements Inspection of the Prosecutors Office of the Taiwan High Court, and the IPR Police of the National Police Agency. The ACC has become a liaison body within TIPO.

¶4. The ACC is now a part of section 4 of TIPO's International Affairs and General Planning division. It no longer has an independent budget, office or staff. TIPO briefs MOEA Minister Ho Mei-yueh monthly on the status of interagency coordination and is a regular participant in coordination meetings with the Ministry of Justice. As the ACC's functions have been taken on by other organizations, MOEA plans to abolish the ACC as soon as January 1, 2006.

¶5. COMMENT: As the interagency coordination function of the ACC has been assumed by TIPO and other bodies, AIT expects the termination of the ACC will have no noticeable negative impact on the IP enforcement activities of the Taiwan government. When contacted by AIT, local stakeholders including the Motion Picture Association and the International Federation of Phonographic Industries had not been briefed on the TIPO plan and requested additional time to consider their response.

¶6. ACTION REQUEST: AIT requests comments from Washington agencies on MOEA's proposal to abolish the ACC by December 1, 2005.

KEEGAN